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Solutions, Inc. and Verisk Analytics, Inc.*

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

EAGLE VIEW TECHNOLOGIES, INC.
and PICTOMETRY INTERNATIONAL
CORP.,

Plaintiffs,

v.

XACTWARE SOLUTIONS, INC. and
VERISK ANALYTICS, INC.,

Defendants.

Civil Action No. 15-cv-07025-RBK-JS

**DECLARATION OF SCOTT S.
CHRISTIE IN SUPPORT OF
DEFENDANTS XACTWARE
SOLUTIONS, INC.'S AND VERISK
ANALYTICS, INC.'S MOTION FOR
SUMMARY JUDGMENT OF
EQUITABLE ESTOPPEL**

I, Scott S. Christie, state and declare as follows:

1. I am a partner at the law firm of McCarter & English, LLP, and I am admitted to practice law in the State of New Jersey.

2. I submit this Declaration in support of Defendants Xactware Solutions, Inc.'s and Verisk Analytics, Inc.'s Motion for Summary Judgment of Equitable Estoppel.

3. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 8,078,436, including Ex Parte Reexamination Certificate.

4. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No. 8,170,840.

5. Attached hereto as Exhibit C is a true and correct copy of U.S. Patent No. 8,818,770.

6. Attached hereto as Exhibit D is a true and correct copy of U.S. Patent No. 8,825,454.

7. Attached hereto as Exhibit E is a true and correct copy of U.S. Patent No. 9,129,376.

8. Attached hereto as Exhibit F is a true and correct copy of U.S. Patent No. 9,135,737.

9. Attached hereto as Exhibit G is a true and correct copy of U.S. Patent No. 8,209,152.

10. Attached hereto as Exhibit H is a true and correct copy of U.S. Patent No. 8,542,880.

11. Attached hereto as Exhibit I is a true and correct copy of U.S. Patent No. 8,823,732.

12. Attached hereto as Exhibit J is a true and correct copy of U.S. Patent No. 8,145,578.

13. Attached hereto as Exhibit K is a true and correct copy of relevant excerpts of Plaintiffs' Second Amended Disclosure of Asserted Claims and Infringement Contentions Pursuant to L. Pat. R. 3.1.

14. Attached hereto as Exhibit L is a true and correct copy of relevant excerpts of the transcript of the October 4, 2017 deposition of Mike Fulton.

15. Attached hereto as Exhibit M is a true and correct copy of relevant excerpts of EagleView's Complaint for Declaratory and Injunctive Relief, Dkt. 1, *Eagle View Technologies, Inc. v. Xactware Solutions, Inc.*, No. 2:12-cv-01913 (W.D. Wash. Oct. 29, 2012).

16. Attached hereto as Exhibit N is a true and correct copy of relevant excerpts of the transcript of the November 7, 2017 deposition of Chris Pershing.

17. Attached hereto as Exhibit O is a true and correct copy of relevant excerpts of the transcript of the November 9, 2017 deposition of Chris Barrow.

18. Attached hereto as Exhibit P is a true and correct copy of relevant excerpts of the transcript of the October 24, 2017 deposition of Jeffery Lewis.

19. Attached hereto as Exhibit Q is a true and correct copy of relevant excerpts of Xactware's 6th Supplemental Responses to EagleView's First Set of Interrogatories (Nos. 1-21).

20. Attached hereto as Exhibit R is a true and correct copy of an April 2012 email chain involving Jim Loveland, produced in this case in redacted form at the document bearing Bates Number XW00395033.

21. Attached hereto as Exhibit S is a true and correct copy of a March 2012 email chain involving Edmund Webecke, produced in this case in redacted form at the document bearing Bates Number XW00238956.

22. Attached hereto as Exhibit T is a true and correct copy of EagleView's 3rd Supplemental Response to Defendants' Interrogatory No. 13.

23. Attached hereto as Exhibit U is a true and correct copy of relevant excerpts of the January 14, 2014 "Agreement and Plan of Merger" between, among other parties, Verisk Analytics, Inc. and EagleView Technology Corporation.

24. Attached hereto as Exhibit V is a true and correct copy of relevant excerpts of the "Disclosure Schedule" for the January 14, 2014 "Agreement and Plan of Merger" between, among other parties, Verisk Analytics, Inc. and EagleView Technology Corporation.

25. Attached hereto as Exhibit W is a true and correct copy of relevant excerpts of EagleView's Supplemental Responses to Defendants' Interrogatories, dated January 21, 2018.

26. Attached hereto as Exhibit X is a true and correct copy of the Provisionally Redacted Public Version of the Federal Trade Commission's Complaint regarding Verisk's proposed acquisition of EagleView, dated December 16, 2014.

27. Attached hereto as Exhibit Y is a true and correct copy of relevant excerpts of the June 15, 2015 "Agreement and Plan of Merger" between, among other parties, Phoenix Holdco LLC, EagleView Technology Corporation, and Fortis Advisors LLC, and which identifies Vista as "Guarantor."

28. Attached hereto as Exhibit Z is a true and correct copy of relevant excerpts of the "Disclosure Schedule" for the June 15, 2015 "Agreement and Plan of Merger" between, among other parties, Phoenix Holdco LLC, EagleView Technology Corporation, and Fortis Advisors LLC, and which identifies Vista as "Guarantor."

29. Attached hereto as Exhibit AA is a true and correct copy of relevant excerpts of the transcript of the October 26, 2017 deposition of Jeff Taylor.

30. Attached here as Exhibit BB is a true and correct copy of relevant excerpts of the "Exhibit A" Definitions for the June 15, 2015 "Agreement and Plan

of Merger” between, among other parties, Phoenix Holdco LLC, EagleView Technology Corporation, and Fortis Advisors LLC, and which identifies Vista as “Guarantor.”

I declare under the penalty of perjury that the foregoing is true and correct.

Dated: August 31, 2018



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